

Assembly Bill No. 303

CHAPTER 708

An act to amend Section 10750 of, and to add Part 2.78 (commencing with Section 10795) to Division 6 of, the Water Code, relating to water.

[Approved by Governor September 25, 2000. Filed with Secretary of State September 27, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 303, Thomson. Groundwater.

Existing law declares that groundwater is a valuable natural resource in the state and should be managed to ensure its safe production and its quality. Existing law authorizes specified local agencies to adopt and implement groundwater management plans pursuant to specified provisions.

This bill would declare that additional study of groundwater resources is necessary to better understand how to manage groundwater effectively to ensure the safe production, quality, and proper storage of groundwater in the state.

The bill would enact the Local Groundwater Management Assistance Act of 2000. The bill would create the Local Groundwater Assistance Fund. The bill would authorize the money in the fund, upon appropriation by the Legislature, to be used by the Department of Water Resources to assist local public agencies by awarding grants to those agencies to conduct groundwater studies, or to carry out groundwater monitoring and management activities, or both. The bill would require the department to award grants based on the recommendations of a Technical Advisory Panel, the members of which would be required to be appointed by the Secretary of the Resources Agency. The bill would authorize the department to enter into contracts and to adopt regulations approved by the panel to carry out the grant program.

The bill would require the department to use prescribed funds appropriated in the Budget Act of 2000 for the purposes of the grant program, as specified.

The bill would make a related finding and declaration.

The people of the State of California do enact as follows:

SECTION 1. Section 10750 of the Water Code is amended to read:

10750. (a) The Legislature finds and declares that groundwater is a valuable natural resource in California, and should be managed to ensure both its safe production and its quality. It is the intent of the



Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions.

(b) The Legislature also finds and declares that additional study of groundwater resources is necessary to better understand how to manage groundwater effectively to ensure the safe production, quality, and proper storage of groundwater in this state.

SEC. 2. Part 2.78 (commencing with Section 10795) is added to Division 6 of the Water Code, to read:

PART 2.78. LOCAL GROUNDWATER MANAGEMENT
ASSISTANCE ACT OF 2000

10795. This part shall be known and may be cited as the Local Groundwater Management Assistance Act of 2000.

10795.2. There is hereby created the Local Groundwater Assistance Fund which shall be administered by the department.

10795.4. Upon appropriation by the Legislature, the money in the fund may be used by the department to assist local public agencies by awarding grants to those agencies to conduct groundwater studies or to carry out groundwater monitoring and management activities in accordance with Part 2.75 (commencing with Section 10750) or other authority pursuant to which local public agencies manage groundwater resources, or both.

10795.6. The department, in making grants pursuant to this part, shall do both of the following:

(a) Award grants based on the recommendations submitted by the Technical Advisory Panel. The panel shall give priority to a local public agency that has adopted a groundwater management plan and submitted an application that demonstrates collaboration by that local public agency with other local public agencies with regard to the management of the affected groundwater basin.

(b) Ensure that the money in the fund is allocated in a geographically balanced manner among the regions of the state that are capable of, and interested in, implementing groundwater management programs.

10795.8. The department may enter into contracts and may adopt regulations subject to the advice and review of the Technical Advisory Panel, to carry out this part. Any grant contract entered into pursuant to this part may include provisions that the department determines are necessary.

10795.10. An application for a grant under this part shall be made to the department in the form and with the supporting materials prescribed by the department.

10795.12. (a) A Technical Advisory Panel shall review applications for grants based on criteria developed by the panel.

(b) The Technical Advisory Panel shall review applications and indicate whether, in its opinion, an application should be given



priority pursuant to subdivisions (a) and (b) of Section 10795.6, and may place conditions on its recommendation for the funding of a specific project. These conditions may include requirements for additional clarification or further explanation of certain aspects of the project.

10795.14. (a) The Technical Advisory Panel shall be comprised of individuals appointed by the Secretary of the Resources Agency.

(b) (1) Panelists shall have background experience, or general knowledge, in the area of groundwater resources.

(2) Panelists shall include all of the following:

(A) At least three individuals who currently serve on the board of directors of a local public agency that has adopted a groundwater management plan.

(B) A licensed civil engineer.

(C) A licensed geologist.

(D) A licensed hydrogeologist.

(E) At least one individual representing each of the hydrologic study areas shown in Figure 3 of the department's Bulletin 118-80, entitled "Ground Water Basins in California: A Report to the Legislature in Response to Water Code Section 12924."

(c) The number of individuals serving on the Technical Advisory Panel shall be determined by the Secretary of the Resources Agency.

10795.16. (a) If a member of the Technical Advisory Panel, or a member of his or her immediate family, is employed by a grant applicant, the employer of a grant applicant, or a consultant or independent contractor employed by a grant applicant, the panel member shall make that disclosure to the other members of the panel and shall not participate in the review of the grant application of that applicant.

(b) The Technical Advisory Panel shall operate on principles of collaboration. Panelists shall be appointed who are committed to working together with other interests for the long-term benefit of California groundwater resources and the people who rely on those resources.

(c) Panelists shall be residents of the state and have an interest in the preservation, protection, and enhancement of the state's groundwater resources.

(d) Panelists shall not be employees of any state or federal agency.

10795.19. A local public agency receiving a grant under this part shall submit to the department copies of all data collected pursuant to the grant.

10795.20. Federal funds may be used for the purposes of this part.

SEC. 3. (a) Of the funds appropriated in Provision 8 of Item 3860-001-0001 of Section 2.00 of the Budget Act of 2000 (Chapter 52 of the Statutes of 2000), the Department of Water Resources shall use five million dollars (\$5,000,000) for the purposes of Part 2.78 (commencing with Section 10795) of Division 6 of the Water Code.



Of that amount, not more than two hundred twenty thousand dollars (\$220,000) may be used to defray administrative costs.

(b) Notwithstanding subdivision (a), the Department of Water Resources may not expend the funds specified in that subdivision unless and until the expenditure condition set forth in Provision 8 of Item 3860-001-0001 of Section 2.00 of the Budget Act of 2000 (Chapter 52 of the Statutes of 2000) is satisfied.

